

SEP 16 2004

Husch & Eppenberger, LLC
Attorneys and Counselors at Law

The Plaza in Clayton Office Tower . . . :
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105
Phone: 314.480.1500
Fax: 314.480.1505

Facsimile

TO: Examiner M. Bockelman, USPTO; Group 3700

FAX NO.: 703 872 9306

FROM: Gregory E. Upchurch

DATE: September 16, 2004

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 9

MESSAGE:

RE: Application No. 09/931,466

This fax contains **CONFIDENTIAL INFORMATION WHICH MAY BE LEGALLY PRIVILEGED** and which is intended only for the use of the Addressee(s) named above. If you are not the intended recipient of this facsimile, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone and return the original fax to us at the above address via the U.S. Postal Service. Thank You.

IF YOU EXPERIENCE ANY PROBLEMS WITH THIS TRANSMISSION, PLEASE CONTACT THE OPERATOR BELOW AT 314.480.1500.

OPERATOR: Lana Ekiss

Return Fax to: **Atty. X** **Secy.**
 Paralegal **Route**

St. Louis Kansas City Jefferson City Springfield Wichita Peoria Chattanooga East Memphis Downtown Memphis Nashville

bockelman.doc

1

**RECEIVED
CENTRAL FAX CENTER**

SEP 16 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: L. Paskar

SERIAL NO.: 09/931,466

FILED: 8/16/2001

FOR: Catheter with Out-of-plane
Configurations

GROUP ART UNIT: 3762

EXAMINER: M. Bockelman

DOCKET NO.: 74442.01

Confirmation No. 3794

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REMARKS AND PROPOSED AMENDMENTS TO OBVIATE
NECESSITY FOR CONTINUING WITH APPEAL**

Applicant hereby submits the attached proposed claims in hopes of rendering the appeal in this case unnecessary. The proposed claims having specific structural limitations not found in the art, as explained in more detail in the Remarks section of this document.

Applicant would be willing to drop its appeal upon an indication that the proposed claims contained herein are allowable.

Applicant's attorney is available at all times to discuss these claims, or any other issue in this case, by telephone or in person.